

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:19 CV 263

ANDY-OXY CO. INC.,)	
)	
Plaintiff,)	ORDER
v.)	
)	
MESSER LLC)	
)	
Defendant.)	
_____)	

This matter is before the Court *sua sponte*.

Defendant removed this action from state court on September 17, 2019 on the basis of diversity jurisdiction. Defendant states that Plaintiff is a North Carolina corporation with its principal place of business in Buncombe County and that Defendant is a foreign limited liability company organized and doing business under the laws of Delaware with its principal place of business in New Jersey. (Doc. 1) at ¶¶ 2-3. Defendant also asserts that complete diversity exists. Id. at ¶ 8.

“For purposes of diversity jurisdiction, the citizenship of a limited liability company ... is determined by the citizenship of all of its members”. Cent. W. Va. Energy Co., Inc. v. Mountain State Carbon, LLC, 636 F.3d 101, 103 (4th Cir. 2011).

Here, however, the record does not reveal the identity or citizenship of the constituent members of Defendant.

Accordingly, Defendant is **DIRECTED** to file, on or before January 10, 2020, a notice identifying Defendant's constituent members and the citizenship of each.

Signed: December 27, 2019

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

